

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-16, 19-26, and 28-29 are pending. Claims 17, 18, 27, and 30-31 are canceled by this reply, without prejudice or disclaimer. Claims 1, 6, 9, 10, 13, 20 and 25 are independent. The remaining claims depend, directly or indirectly, from claims 1, 6, 9, 10, 13, 20 and 25.

Abstract

The Abstract is amended to correct a typographical error and remove reference numbers. No new matter is added.

Drawings

The drawings are objected to because they fail to show necessary textual labels in Figure 3. Specifically, the Examiner asserts that reference numbers 306 and 307 refer to multiple different components throughout the Specification, and requests clarification of this issue. Reference number 306 corresponds to a scheduler. *See* publication of present application, paragraphs [0098] – [105]. The scheduler includes timers that can be set to trigger the request for the creation of a chat room. *See* publication of present application, paragraphs [0072] and [0074]. Accordingly, Figure 3 correctly labels element 306 as “scheduler with timers.” The trigger device referred to in the claims is a separate device that the scheduler is interfaced with via interface 305 in Fig. 3. *See* publication of present application, paragraphs [0038] and original claim 2.

Reference number 307 corresponds to a chat room creation device, which is described in the Specification as a chat room creation “Bot,” which is an acronym for a robot software agent.

Figure 3 is amended so that the label for reference number 307 recites “Bot for chat room creation.” *See* publication of present application, paragraph [100]. Further, reference numbers have been removed from the claims and from the Abstract, and the Abstract is amended to recite a “trigger device” rather than “timer device.” Accordingly, the Specification, Drawings, Abstract, and Claims are now consistent in the use of reference numbers 306 and 307. Withdrawal of this objection is respectfully requested.

Claim Objections

Claims 1-31 are objected to for improper multiple dependencies and for lacking a colon in the end of the preamble. Claims 30-31 are canceled; thus, this objection is moot with respect to claims 30-31. Claims 1-29 are amended to include colons where appropriate and to remove all multiple dependencies. Accordingly, withdrawal of this objection is respectfully requested.

Claim Amendments

Independent claims 1, 10, and 13 are amended for purposes of clarification. No new matter is added by way of these amendments. Support for these amendments may be found, for example, in paragraphs [0083] – [0091] of the publication of the present application.

Rejection(s) under 35 U.S.C. § 112

Claims 1-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for including inconsistent reference numbers. Reference numbers have been removed from the claims; accordingly, any ambiguity with respect to the same reference number indicating different elements no longer exists. Further, with respect to the Examiner’s issue for reference number 306, as described above, 306 refers to a scheduler device, and not to a trigger device. A trigger device is a distinct device that interfaces with the scheduler device (306). Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C. § 103

Claims 1-6, 8-13, and 15-19¹ are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/39978 (“Trovato”) in view of US Pub. No. 2003/0078972 (“Tapissier”). Claims 17, 18, 27, and 30-31 are canceled by this reply; thus, this rejection is now moot with respect to the canceled claims. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The amended independent claims require, in part, a passive subscriber that visualizes the chat room discussions on an associated decoder without actually being connected to the chat room, and an active subscriber that is directly connected to the chat room via a return link. A subscriber can switch between the two subscriber modes. When the subscriber is active, the subscriber directly types chat messages into the chat room. When the subscriber is passive, the chat room discussions are specifically buffered, formatted, tabled, and broadcast to the subscriber’s decoder. *See* publication of present application, paragraphs [0083] – [0091] and [0153]. Accordingly, the amended independent claims require (i) an ability for a subscriber to switch between being passive and being active, and (ii) the specific steps of buffering, formatting, and preparing the chat room discussions for a passive subscriber.

Turning to the rejection, Applicant respectfully asserts that none of Trovato and Tapissier discloses or renders obvious a set-top-box subscriber that can be both passive and active. Furthermore, neither Trovato nor Tapissier disclose the steps of buffering chat room messages for a passive subscriber, wherein the buffered messages are collected and formatted when the buffer fills up, and subsequently broadcast to the subscriber’s decoder for visualization.

¹ Applicant notes that while the Examiner lists only claims 1-6, 8-13, and 15-19 in paragraph 10 on page 5 of the Action as being rejected over Trovato and Tapissier, the Examiner actually rejects all the pending claims over the same two reference combination. Accordingly, Applicant traverses this rejection as applied to all pending claims.

Specifically, the Examiner admits on pages 15 and 19 that Trovato fails to disclose or render obvious buffering chat room discussion and establishing a return link between the decoder and the chat room server. Instead, the Examiner cites paragraph [0095] of Tapissier (*see OA, page 19*) as disclosing a return path in which the application server receives text sent by chat-room users and broadcasts the text via a return path. This portion of Tapissier describes, at best, an active subscriber. However, no mention is made in the cited portion (or any other portion) of Tapissier of a passive subscriber as claimed, or any ability for a subscriber to switch between the two modes of chat room participation.

Further, the Examiner cites paragraph [0010] of Tapissier as disclosing a buffer to store chat room data. However, the buffer disclosed in Tapissier is for storing chat room participants' pictures or short videos. This data is clearly not used for any type of visualization by a passive chat room participant that is not directly connected to the chat room server. The data buffered in Tapissier is also not formatted or tabled for broadcasting to the subscriber's decoder, as required by the amended claims. In fact, Tapissier makes no mention of any steps taken for a passive participant to visualize chat room discussions. Tapissier only contemplates active subscribers that are directly connected and can display messages into the chat room.

In view of the above, it is clear that the Examiner's contentions fail to support an obviousness rejection of the amended independent claims. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number [11345/049001]).

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Respectfully submitted,

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Attachments (Replacement Sheet Figure 3)